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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,445	02/19/2004	Rhonda L. Childress	AUS920040025US1	5164
50170	7590	03/18/2008	EXAMINER	
IBM CORP. (WIP)			PATEL, HARESH N	
c/o WALDER INTELLECTUAL PROPERTY LAW, P.C.			ART UNIT	PAPER NUMBER
P.O. BOX 832745			2154	
RICHARDSON, TX 75083				
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03/18/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/782,445	CHILDRESS ET AL.	
	Examiner	Art Unit	
	Haresh N. Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 December 2007.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4,9-12,23-25 and 36-62 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,2,4,9-12,23-25 and 36-62 is/are rejected.
 7) Claim(s) 41,43,44,48,50 and 51 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>20080311</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20 December 2007</u> . | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Claims 1,2,4,9-12,23-25 and 36-62 are subject to examination. Claims 3, 5-8, 13-22, 27-35 are cancelled. Claims 41,43,44,48,50, 51, 55, 57 and 58 are allowable but objected to.

Response to Arguments

2. Applicant's arguments with respect to the amended claims with additional limitations have been considered but are moot in view of the new ground(s) of rejection necessitated by the applicant's amendment to the claimed subject matter. (Note: considering the applicant's request regarding scheduling the telephone interview prior to providing this office action, the examiner contacted Mr. Francis Lammes several times to conduct the interview. Below is the request by the applicant on December 18, 2007 for the interview to be conducted on December 20, 2007. The applicant is requested to provide reasonable time to have the interview conducted. The examiner called Mr. Francis Lammes on December 20, 2007 and granted the telephone interview in January 15th 2008 at 2:00 PM, after the holiday season and end of the quarter/year. However, the applicant chose not to call the examiner at the time of the interview and neither provided any notice of not conducting the interview. (Please refer to the MPEP for conducting the interview). The interview has not been conducted due to the applicant's changed intention. The examiner again called Mr. Francis Lammes and left a voice message prior to writing this office action. To be fair with the applicant the examiner further chooses to provide new arts for the rejections for the amended claims that are narrower as compared to the rejected claims of the office action dated 9/24/2007).

Art Unit: 2154

DEC 18 2007 10:58AM WALDER INTELLECTUAL PROPE 214-722-6533

P. 1

**Walder Intellectual
Property Law, P.C.**P.O. Box 832745
Richardson, Texas 75083Main No. (214) 722-6520
Facsimile (214) 722-6533**Facsimile Cover Sheet**

To: Examiner Haresh N. Patel Art Unit 2154 U.S. Patent and Trademark Office	Facsimile No. 571-273-3973 Telephone No. 571-272-3973
From: Francis Lammes Sent by: Dell Whitton, Admin. Asst.	No. of Pages Including Cover Sheet: 14
<p>Message:</p> <p>Following is a completed Applicant Initiated Interview Request Form as well an Agenda for Telephonic Interview including topics for discussion for the application referenced below. Francis has requested a phone interview for Thursday, December 20, 2007, at 10:00 a.m. (Central Time). Please contact either Francis Lammes at 214-722-6491 or me at 214-722-6520 to let us know if you are willing to grant a phone interview and available on the proposed date and time.</p> <p>Thank you for your consideration of this request.</p>	
<p>Serial No. 10/782,445 Attorney Docket No. AUS920040025US1 Date: Tuesday, December 18, 2007</p>	
<p>Please contact us at (214) 722-6520 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</p> <p><i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i></p>	

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 1,2,4,9-12,23-25 and 36-62 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1,2,4,9-12,23-25 and 36-62 recite the limitations, “may be”, which renders the claim indefinite. The “may be” should be replaced with --is-- and/or --are--

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1,2,4,9-12,23-25 and 36-40, 42, 45-47, 49, 52-54, 56, 59-62 are rejected under 35 U.S.C. 102(e) as being anticipated by Curie et al. 6,871,232, (Hereinafter Curie).
6. Referring to claim 1, Curie discloses a method for integrating a user resource into a managed computing resource system, the method comprising: determining a level of data

privacy associated with a user of the user resource (e.g., col., 7); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., col., 7), integrating the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., col., 8), wherein the shared RIM device may be shared between multiple user resources (e.g., col., 8); and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., col., 8), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., col., 9), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., col., 9).

7. Referring to claim 2, Curie discloses the claimed limitations are rejected above. Curie also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., col., 8).

8. Referring to claim 4, Curie discloses the claimed limitations are rejected above. Curie also discloses providing a secondary RIM device; in case of a failure in the shared RIM device or the dedicated RIM device (e.g., col., 7), connecting the spoke to the secondary RIM device; and employing the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., col., 8).

9. Referring to claim 9, Curie discloses the claimed limitations are rejected above. Curie also discloses distributing software via a hub master software package library in a shared hub; to at least one of a RIM software repository in the shared RIM device (e.g., col., 8), a RIM software

repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device (e.g., col., 8), wherein the software in said is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and wherein the software is distributed to the POD software cache in the POD device, via the RIM software repository (e.g., col., 9).

10. Referring to claim 10, Curie discloses the claimed limitations are rejected above. Curie also discloses distributing the software via a spoke software distribution host in a spoke device (e.g., col., 10).

11. Referring to claim 11, Curie discloses the claimed limitations are rejected above. Curie also discloses in case of a failure of the RIM software repository, initiating software distribution to the POD software cache via the .spoke software distribution host (e.g., col., 10).

12. Referring to claim 12, Curie discloses the claimed limitations are rejected above. Curie also discloses a system for integrating a user resource into a managed computing resource system, the system comprising: a processor; and a memory coupled to the processor, wherein the memory comprises instructions which, when executed by the processor, cause the processor to: determine a level of data privacy associated with a user of the user resource (e.g., col., 7); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., col., 7), integrate the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., col., 8), wherein the shared RIM device may be

shared between multiple user resources; and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., col., 8), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., col., 9), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., col., 9).

13. Referring to claim 23, Curie discloses the claimed limitations are rejected above. Curie also discloses distribute software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device (e.g., col., 8), a RIM software repository in the dedicated RIM device, or] a POD software cache in a POD device (e.g., col., 8); wherein the software in is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and said wherein the software is distributed to the POD software cache in the POD device via the RIM software repository (e.g., col., 9).

14. Referring to claim 24, Curie discloses the claimed limitations are rejected above. Curie also discloses distribute the software to the POD software cache via a spoke software distribution host in a spoke in case of a failure of the RIM software repository (e.g., col., 10).

15. Referring to claim 25, Curie discloses the claimed limitations are rejected above. Curie also discloses a computer program product comprising a computer-usuable medium, having computer-executable instructions for integrating a user resource into a managed computing resources resource system stored therein; wherein the computer-executable instructions, when

executed in a data processing system, causes the data processing system to: a memory coupled to the processor, wherein the memory comprises instructions which, when executed by the processor, cause the processor to: determine a level of data privacy associated with a user of the user resource (e.g., col., 7); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., col., 7), integrate the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., col., 8), wherein the shared RIM device may be shared between multiple user resources; and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., col., 9), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., col., 9), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., col., 9).

16. Referring to claim 36, Curie discloses the claimed limitations are rejected above. Curie also discloses distribute software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device (e.g., col., 8), a RIM software repository in the dedicated RIM device, or a POD software cache in a POD device (e.g., col., 8); wherein the software is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and wherein the software is distributed to the POD software cache in the POD device, via the RIM software repository (e.g., col., 9).

17. Referring to claim 37, Curie discloses the claimed limitations are rejected above. Curie also discloses distribute the software to the POD software cache via a spoke software distribution host in a spoke in case of a failure of the RIM software repository (e.g., col., 8).

18. Referring to claim 38, Curie discloses the claimed limitations are rejected above. Curie also discloses wherein the first logical design and the second logical design include at least one shared hub, a dedicated spoke device, and a dedicated point of deployment (POD) device, wherein the dedicated spoke device and the dedicated POD device are dedicated for use only by the user resource (e.g., col., 11).

19. Referring to claim 39, Curie discloses the claimed limitations are rejected above. Curie also discloses responsive to the level of data privacy indicating a third level of dedicated computing resources (e.g., col., 11), integrating the user resource into a third logical design that includes at least one shared hub, a isolated and dedicated RIM device, a dedicated spoke device, and a dedicated point of deployment (POD) device (e.g., col., 11), wherein the RIM device is dedicated to the customer resource and isolated from communication with other RIM devices (e.g., col., 12).

20. Referring to claim 40, Curie discloses the claimed limitations are rejected above. Curie also discloses responsive to the user failing to require any level of data privacy, determining if the user resource has at least one associated unique Internet protocol (IP) address; and responsive

to the user resource failing to have the at least one associated unique IP address, integrating the user resource into the first logical design (e.g., col., 13).

21. Referring to claim 42, Curie discloses the claimed limitations are rejected above. Curie also discloses responsive to the user resource failing to utilize the predefined percentage of the capacity of the POD device, determining if the user associated with the user resource requires hardware isolation; and responsive to the user requiring hardware isolation, integrating the user resource into the third logical design (e.g., col., 13).

22. Referring to claims 45-47, 49, 52-54, 56, Curie discloses the claimed limitations are rejected above. Please refer to claims 36-40 and 42 in particulars.

23. Referring to claim 59, Curie discloses the claimed limitations are rejected above. Curie also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., col., 9).

24. Referring to claim 60, Curie discloses the claimed limitations are rejected above. Curie also discloses in case of a failure in the shared RIM device or the dedicated RIM device, connect the spoke to a secondary RIM device; and employ the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., col., 8).

25. Referring to claim 61, Curie discloses the claimed limitations are rejected above. Curie also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., col., 9).

26. Referring to claim 62, Curie discloses the claimed limitations are rejected above. Curie also discloses wherein the computer- executable instructions further cause the data processing system to: in case of a failure in the shared RIM device or the dedicated RIM device, connect the spoke to a secondary RIM device; and employ the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., col., 13).

27. Claims 1,2,4,9-12,23-25 and 36-40, 42, 45-47, 49, 52-54, 56, 59-62 are rejected under 35 U.S.C. 102(e) as being anticipated by Das, 2004/0055002 (Hereinafter Das).

28. Referring to claim 1, Das discloses a method for integrating a user resource into a managed computing resource system, the method comprising: determining a level of data privacy associated with a user of the user resource (e.g., page 2); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., page 2), integrating the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., page 2), wherein the shared RIM device may be shared between multiple user resources (e.g., page 2); and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., page 2), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., page 3), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., page 3).

29. Referring to claim 2, Das discloses the claimed limitations are rejected above. Das also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., page 2).

30. Referring to claim 4, Das discloses the claimed limitations are rejected above. Das also discloses providing a secondary RIM device; in case of a failure in the shared RIM device or the dedicated RIM device (e.g., page 2), connecting the spoke to the secondary RIM device; and employing the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., page 2).

31. Referring to claim 9, Das discloses the claimed limitations are rejected above. Das also discloses distributing software via a hub master software package library in a shared hub; to at least one of a RIM software repository in the shared RIM device (e.g., page 2), a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device (e.g., page 2), wherein the software in said is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and wherein the software is distributed to the POD software cache in the POD device, via the RIM software repository (e.g., page 3).

32. Referring to claim 10, Das discloses the claimed limitations are rejected above. Das also discloses distributing the software via a spoke software distribution host in a spoke device (e.g., page 3).

33. Referring to claim 11, Das discloses the claimed limitations are rejected above. Das also discloses in case of a failure of the RIM software repository, initiating software distribution to the POD software cache via the .spoke software distribution host (e.g., page 3).

34. Referring to claim 12, Das discloses the claimed limitations are rejected above. Das also discloses a system for integrating a user resource into a managed computing resource system, the system comprising: a processor; and a memory coupled to the processor, wherein the memory comprises instructions which, when executed by the processor, cause the processor to: determine a level of data privacy associated with a user of the user resource (e.g., page 2); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., page 2), integrate the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., page 2), wherein the shared RIM device may be shared between multiple user resources; and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., page 2), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., page 3), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., page 3).

35. Referring to claim 23, Das discloses the claimed limitations are rejected above. Das also discloses distribute software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device (e.g., page 2), a RIM software repository in the dedicated RIM device, or] a POD software cache in a POD device (e.g., page 2); wherein the software in is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and said wherein the software is distributed to the POD software cache in the POD device via the RIM software repository (e.g., page 3).

36. Referring to claim 24, Das discloses the claimed limitations are rejected above. Das also discloses distribute the software to the POD software cache via a spoke software distribution host in a spoke in case of a failure of the RIM software repository (e.g., page 3).

37. Referring to claim 25, Das discloses the claimed limitations are rejected above. Das also discloses a computer program product comprising a computer-usuable medium, having computer-executable instructions for integrating a user resource into a managed computing resources resource system stored therein; wherein the computer-executable instructions, when executed in a data processing system, causes the data processing system to: a memory coupled to the processor, wherein the memory comprises instructions which, when executed by the processor, cause the processor to: determine a level of data privacy associated with a user of the user resource (e.g., page 2); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., page 2), integrate the user resource into a first logical design that

includes a shared regional infrastructure management (RIM) device (e.g., page 2), wherein the shared RIM device may be shared between multiple user resources; and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., page 3), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., page 3), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., page 3).

38. Referring to claim 36, Das discloses the claimed limitations are rejected above. Das also discloses distribute software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device (e.g., page 2), a RIM software repository in the dedicated RIM device, or a POD software cache in a POD device (e.g., page 2); wherein the software is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and wherein the software is distributed to the POD software cache in the POD device, via the RIM software repository (e.g., page 3).

39. Referring to claim 37, Das discloses the claimed limitations are rejected above. Das also discloses distribute the software to the POD software cache via a spoke software distribution host in a spoke in case of a failure of the RIM software repository (e.g., page 2).

40. Referring to claim 38, Das discloses the claimed limitations are rejected above. Das also discloses wherein the first logical design and the second logical design include at least one

shared hub, a dedicated spoke device, and a dedicated point of deployment (POD) device, wherein the dedicated spoke device and the dedicated POD device are dedicated for use only by the user resource (e.g., page 3).

41. Referring to claim 39, Das discloses the claimed limitations are rejected above. Das also discloses responsive to the level of data privacy indicating a third level of dedicated computing resources (e.g., page 3), integrating the user resource into a third logical design that includes at least one shared hub, a isolated and dedicated RIM device, a dedicated spoke device, and a dedicated point of deployment (POD) device (e.g., page 3), wherein the RIM device is dedicated to the customer resource and isolated from communication with other RIM devices (e.g., page 3).

42. Referring to claim 40, Das discloses the claimed limitations are rejected above. Das also discloses responsive to the user failing to require any level of data privacy, determining if the user resource has at least one associated unique Internet protocol (IP) address; and responsive to the user resource failing to have the at least one associated unique IP address, integrating the user resource into the first logical design (e.g., page 3).

43. Referring to claim 42, Das discloses the claimed limitations are rejected above. Das also discloses responsive to the user resource failing to utilize the predefined percentage of the capacity of the POD device, determining if the user associated with the user resource requires hardware isolation; and responsive to the user requiring hardware isolation, integrating the user resource into the third logical design (e.g., page 3).

44. Referring to claims 45-47, 49, 52-54, 56, Das discloses the claimed limitations are rejected above. Please refer to claims 36-40 and 42 in particulars.

45. Referring to claim 59, Das discloses the claimed limitations are rejected above. Das also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., page 3).

46. Referring to claim 60, Das discloses the claimed limitations are rejected above. Das also discloses in case of a failure in the shared RIM device or the dedicated RIM device, connect the spoke to a secondary RIM device; and employ the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., page 2).

47. Referring to claim 61, Das discloses the claimed limitations are rejected above. Das also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., page 3).

48. Referring to claim 62, Das discloses the claimed limitations are rejected above. Das also discloses wherein the computer- executable instructions further cause the data processing system to: in case of a failure in the shared RIM device or the dedicated RIM device, connect the spoke to a secondary RIM device; and employ the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., page 3).

49. Claims 1,2,4,9-12,23-25 and 36-40, 42, 45-47, 49, 52-54, 56, 59-62 are rejected under 35

U.S.C. 102(e) as being anticipated by Zscheile et al. 6,847,619, (Hereinafter Zscheile).

50. Referring to claim 1, Zscheile discloses a method for integrating a user resource into a managed computing resource system, the method comprising: determining a level of data privacy associated with a user of the user resource (e.g., col., 3); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., col., 3), integrating the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., col., 4), wherein the shared RIM device may be shared between multiple user resources (e.g., col., 4); and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., col., 4), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., col., 5), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., col., 5).

51. Referring to claim 2, Zscheile discloses the claimed limitations are rejected above.

Zscheile also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., col., 4).

52. Referring to claim 4, Zscheile discloses the claimed limitations are rejected above.

Zscheile also discloses providing a secondary RIM device; in case of a failure in the shared RIM device or the dedicated RIM device (e.g., col., 3), connecting the spoke to the secondary

RIM device; and employing the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., col., 4).

53. Referring to claim 9, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses distributing software via a hub master software package library in a shared hub; to at least one of a RIM software repository in the shared RIM device (e.g., col., 4), a RIM software repository in the dedicated RIM device, or a point of deployment (POD) software cache in a POD device (e.g., col., 4), wherein the software in said is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and wherein the software is distributed to the POD software cache in the POD device, via the RIM software repository (e.g., col., 5).

54. Referring to claim 10, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses distributing the software via a spoke software distribution host in a spoke device (e.g., col., 6).

55. Referring to claim 11, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses in case of a failure of the RIM software repository, initiating software distribution to the POD software cache via the .spoke software distribution host (e.g., col., 6).

56. Referring to claim 12, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses a system for integrating a user resource into a managed computing

resource system, the system comprising: a processor; and a memory coupled to the processor, wherein the memory comprises instructions which, when executed by the processor, cause the processor to: determine a level of data privacy associated with a user of the user resource (e.g., col., 3); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., col., 3), integrate the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., col., 4), wherein the shared RIM device may be shared between multiple user resources; and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., col., 4), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., col., 5), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., col., 5).

57. Referring to claim 23, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses distribute software via a hub master software package library in a shared hub to at least one of a RIM software repository in the shared RIM device (e.g., col., 4), a RIM software repository in the dedicated RIM device, or] a POD software cache in a POD device (e.g., col., 4); wherein the software in is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and said wherein the software is distributed to the POD software cache in the POD device via the RIM software repository (e.g., col., 5).

58. Referring to claim 24, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses distribute the software to the POD software cache via a spoke software distribution host in a spoke in case of a failure of the RIM software repository (e.g., col., 6).

59. Referring to claim 25, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses a computer program product comprising a computer-usuable medium, having computer-executable instructions for integrating a user resource into a managed computing resources resource system stored therein; wherein the computer-executable instructions, when executed in a data processing system, causes the data processing system to: a memory coupled to the processor, wherein the memory comprises instructions which, when executed by the processor, cause the processor to: determine a level of data privacy associated with a user of the user resource (e.g., col., 3); responsive to the level of data privacy indicating a first level of dedicated computing resources (e.g., col., 3), integrate the user resource into a first logical design that includes a shared regional infrastructure management (RIM) device (e.g., col., 4), wherein the shared RIM device may be shared between multiple user resources; and responsive to the level of data privacy indicating a second level of dedicated computing resources (e.g., col., 5), integrating the user resource into a second logical design that includes a dedicated RIM device (e.g., col., 5), wherein the dedicated RIM device is dedicated for use only by the user resource (e.g., col., 5).

60. Referring to claim 36, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses distribute software via a hub master software package library in a shared

hub to at least one of a RIM software repository in the shared RIM device (e.g., col., 4), a RIM software repository in the dedicated RIM device, or a POD software cache in a POD device (e.g., col., 4); wherein the software is distributed to the RIM software repository in the shared RIM device or the dedicated RIM device, via the hub master software package library and wherein the software is distributed to the POD software cache in the POD device, via the RIM software repository (e.g., col., 5).

61. Referring to claim 37, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses distribute the software to the POD software cache via a spoke software distribution host in a spoke in case of a failure of the RIM software repository (e.g., col., 4).

62. Referring to claim 38, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses wherein the first logical design and the second logical design include at least one shared hub, a dedicated spoke device, and a dedicated point of deployment (POD) device, wherein the dedicated spoke device and the dedicated POD device are dedicated for use only by the user resource (e.g., col., 7).

63. Referring to claim 39, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses responsive to the level of data privacy indicating a third level of dedicated computing resources (e.g., col., 7), integrating the user resource into a third logical design that includes at least one shared hub, a isolated and dedicated RIM device, a dedicated spoke device, and a dedicated point of deployment (POD) device (e.g., col., 7), wherein the RIM

device is dedicated to the customer resource and isolated from communication with other RIM devices (e.g., col., 7).

64. Referring to claim 40, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses responsive to the user failing to require any level of data privacy, determining if the user resource has at least one associated unique Internet protocol (IP) address; and responsive to the user resource failing to have the at least one associated unique IP address, integrating the user resource into the first logical design (e.g., col., 7).

65. Referring to claim 42, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses responsive to the user resource failing to utilize the predefined percentage of the capacity of the POD device, determining if the user associated with the user resource requires hardware isolation; and responsive to the user requiring hardware isolation, integrating the user resource into the third logical design (e.g., col., 7).

66. Referring to claims 45-47, 49, 52-54, 56, Zscheile discloses the claimed limitations are rejected above. Please refer to claims 36-40 and 42 in particulars.

67. Referring to claim 59, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., col., 5).

68. Referring to claim 60, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses in case of a failure in the shared RIM device or the dedicated RIM device, connect the spoke to a secondary RIM device; and employ the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., col., 4).

69. Referring to claim 61, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses wherein the shared RIM device or the dedicated RIM device is coupled to a spoke device (e.g., col., 5).

70. Referring to claim 62, Zscheile discloses the claimed limitations are rejected above. Zscheile also discloses wherein the computer- executable instructions further cause the data processing system to: in case of a failure in the shared RIM device or the dedicated RIM device, connect the spoke to a secondary RIM device; and employ the secondary RIM device to take over one or more functions of the shared RIM device or the dedicated RIM device (e.g., col., 7).

Allowable Subject Matter

71. Claims 41,43,44,48,50,51, 55, 57and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and these claims should contain --when-- instead of all “if” (s) including intervening claims; the examiner considers “when” for the limitations and requests the applicant to replace for quicker prosecution.

Conclusion

72. In order to expedite the prosecution of this case, multiple references are used for the rejections to demonstrate that several references disclose the claimed subject matter of the claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the

claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2154

3/11/08

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